

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference ojima1130	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/003863	International filing date (day/month/year) 22.03.2004	Priority date (day/month/year) 20.03.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant OJIMA, Ryotaro		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>38</u> sheets, as follows: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4.	This report contains indications relating to the following items: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages _____ as originally filed/furnished
- pages* 1-23 received by this Authority on 07.10.2004
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-3 received by this Authority on 07.10.2004
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets _____ as originally filed/furnished
- sheets* 1-11 received by this Authority on 07.10.2004
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
- ☒ the description, pages 24-25
- ☒ the claims, nos. 4
- ☒ the drawings, sheets/figs 12
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-3	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-3	NO
Industrial applicability (IA)	Claims	1-3	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Document 1: JP 2002-259809 A (Pioneer Electronic Corporation), 13 September 2002 & EP 1246107 A1 & US 2002/0122059 A1			
Document 2: JP 9-91358 A (Fujitsu Limited), 4 April 1997 & US 6047310 A & EP 0766431 B1			
Claim 1			
<p>The invention set forth in claim 1 does not involve an inventive step in the light of document 1 cited in the international search report and document 2 cited in the international search report. Document 1 indicates that advertisement information generated by the advertisement information generating section (1) is accumulated in the advertisement information memory (2); that advertisement information containing audio information and image information is output from an advertisement information server database to a consumer terminal (J); and that after both the image information and the audio information are captured by the CPU (20), the image information is outputted to the display (22), and the audio information is outputted to the audio output section (24). In addition, the advertisement information providing system set forth in document 1 and the</p>			

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

information providing device set forth in document 2 belong to closely related technical fields, therefore it would be easy for a person skilled in the art to conceive of applying the feature set forth in document 2, wherein a request concerning the subject for which advertisements are to be provided is transmitted from the advertisement provider to a server, to the advertisement information providing system set forth in document 1. In addition, determining whether to carry out separation of audio and image information in advertisement data at a server or at a terminal would merely constitute a design feature to a person skilled in the art.

In addition, transparent organic EL displays are widely used, regardless of field, therefore it would be easy for a person skilled in the art to conceive of employing a transparent organic EL display as the display of a consumer terminal of the invention set forth in document 1.

Claims 2 and 3

The invention set forth in claims 2 and 3 does not involve an inventive step in the light of document 1 cited in the international search report. Document 1 indicates that advertisement information generated by the advertisement information generating section (1) is accumulated in the advertisement information memory (2); that advertisement information containing audio information and image information is output from an advertisement information server database to a consumer terminal (J); and that after both the image information and the audio information are captured by the CPU (20), the image information is outputted to the display (22),

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Box No. V

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citations and explanations supporting such statement

and the audio information is outputted to the audio output section (24). In addition, determining whether to carry out separation of audio and image information in advertisement data at a server or at a terminal would merely constitute a design feature to a person skilled in the art.

In addition, transparent organic EL displays are widely used, regardless of field, therefore it would be easy for a person skilled in the art to conceive of employing a transparent organic EL display as the display of a consumer terminal of the invention set forth in document 1.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The "separating section" set forth in claims 1 to 3 is not fully supported by the description.

It is unclear what type of data the "data desired to provide advertising information" set forth in claim 1 refers to.

The meaning of "別に必要に応じて (separately as necessary)" in claim 2 is unclear.